

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**BOOKENDS & BEGINNINGS, LLC, on
behalf of itself and all others similarly
situated,**

Plaintiff,

v.

**AMAZON.COM, INC.; HACHETTE
BOOK GROUP, INC;
HARPERCOLLINS PUBLISHERS
L.L.C.; MACMILLAN PUBLISHING
GROUP, LLC; PENGUIN RANDOM
HOUSE LLC; SIMON & SCHUSTER,
INC.,**

Defendants.

Case Number 1:21-cv-02584-GHW-DCF

NOTICE OF MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Amazon.com, Inc. (“Amazon”), respectfully moves to dismiss the claims against it in the Amended Complaint. In support, Amazon submits a Memorandum of Law, which is being filed contemporaneously with this motion. According to the schedule set by the Court, the response to this motion must be filed by October 22, 2021, and any reply in support of the motion must be filed by November 22, 2021. Amazon requests oral argument in connection with its Motion to Dismiss.

Dated: September 7, 2021

Respectfully Submitted,

/s/ John E. Schmidtlein

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss has been filed and served upon counsel of record via ECF electronic notification.

Dated: September 7, 2021

Respectfully Submitted,

/s/ John E. Schmidtlein

John E. Schmidtlein (*Pro Hac Vice*)